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NOTE CHANGES MADE BY THE COURT

7 Attorneys for County of San Bernardino, San Bernardino County Deputy
8 Sheriff Shelly Krusbe, Sgt. Manny Mendoza, Deputy Paul Arce

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA – EASTERN DIVISION

9 JOSEPH MILLER,
10 Plaintiff,

11 vs.

12 THE COUNTY OF SAN
13 BERNARDINO, SHELLY KRUSBE,
14 MENDOZA, P. ARCE, SCARANO,
15 DOES 1-10 Inclusive,

16 Defendants.

CASE NO.: EDCV06-1310 VAP
(JCRx)

(PROPOSED) STIPULATION FOR
PROTECTIVE ORDER
(As modified)

17 IT HEREBY ORDERED by the Court, pursuant to this Stipulation by
18 the parties, that the following documents shall be under the following
19 Protective Order: *All terms and conditions set forth below are expressly*
20 *limited to the discovery phase of this litigation & do not bind the*
21 *District Court as to the discoverability of evidence after discovery is completed.*
22 1. All documents and materials designated by Bates stamped
23 numbers 000094 to 000121, and three micro-cassette tapes designated by
24 Bate stamped numbers 000122 to 00124. Such designation shall be made
25 by stamping or otherwise marking the material prior to use in this litigation,
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1 as follows: "Confidential Material which is subject to protective order". The
2 documents contain confidential statements pursuant to internal
3 administrative investigation of Citizens Complaint # 5151-17-246. The
4 County of San Bernardino and the other defendants herein collectively
5 seek to protect that information from disclosure on security grounds.

6 2. The "Confidential Material" shall be used solely in connection
7 with this litigation in the preparation and trial of this case, and not for any
8 other litigation. ^{Subject to approval of the District Court,} To the extent the material is used at trial, personal
9 information shall be redacted. Safeguarding confidential information and
10 prevention of identity theft are the factors that motivate the present
11 Stipulation.

12 3. The "Confidential Material" may be disclosed only to the
13 following persons;

- 14 a) counsel and all parties to this action;
- 15 b) paralegal, stenographic, clerical, and secretarial
16 personnel regularly employed by counsel referred to in (a);
- 17 c) court personnel, including stenographic reporters
18 engaged in proceedings as are necessary incidental to preparation for the
19 trial of this action;
- 20 d) any outside expert or consultant retained in connection
21 with this action and not otherwise employed by either party;
- 22 e) any in-house expert designated by defendants to testify at
23 trial in this matter;
- 24 f) witnesses herein may have the documents disclosed to
25 them during deposition proceedings; the witnesses may not leave the
26 deposition with copies of the documents, and shall be bound by the
27 provisions of paragraph 4.

28 4. Each person to whom disclosure is made, with the exception of

1 counsel, who are presumed to know of the contents of this protective order
2 shall, prior to the time of disclosure, be provided by the person furnishing
3 him/her such material, a copy of this order, and shall agree on the record or
4 in the writing that he/she has read the protective order and that he/she
5 understands the provisions of the protective order.

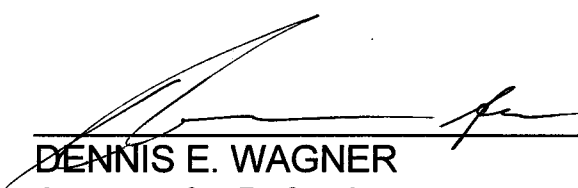
6 5. At the conclusion of the trial and of any appeal, or upon other
7 termination of this litigation, all confidential material received in the
8 provision of this order (including any copies made) shall be destroyed by
9 each party and their attorneys.

10 6. The foregoing is without prejudice to the right of any parties:

11 a) To apply to the Court for a further protective order relating to any
12 confidential material, or relating to discovery in this litigation; b) to apply to
13 the Court for an order removing the "Confidential Material" designation from
14 the document; c) to apply to the Court for an order compelling production of
15 documents or modification of this order or for any order permitting
16 disclosure of confidential material beyond the terms of this order.

17
18 DATED: December 20, 2007

WAGNER & PELAYES, LLP

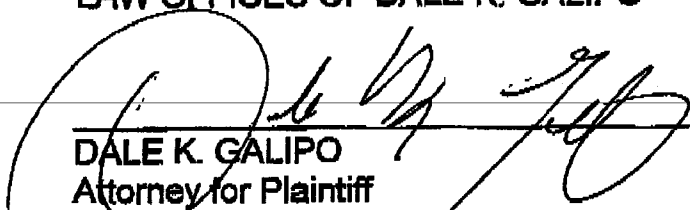
21 
22 DENNIS E. WAGNER
23 Attorney for Defendants
24 COUNTY OF SAN BERNARDINO, SAN
25 BERNARDINO COUNTY SHERIFF
26 SHELLY KRUSBE, SGT. MANNY
27 MENDOZA, DEPUTY PAUL ARCE
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DATED: Dec 19, 2007


LAW OFFICES OF DALE K. GALIPO


DALE K. GALIPO
Attorney for Plaintiff
JOSEPH MILLER

ORDER

The Stipulation for Protective Order is Granted as requested by the parties and the materials designated herein shall be subject to all terms and conditions.

DATED: 1/2/08


UNITED STATES DISTRICT COURT
Magistrate Judge

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA)
 3) ss:)
 4 COUNTY OF RIVERSIDE)

4 I, the undersigned, declare:

5 I am employed in the County of Riverside, State of California. I am
 6 over the age of 18 years and not a party to this action; my business
 address is 1325 Spruce Street, Suite 200 Riverside, California 92507.

7 On the date written below, I served the document named below on the
 8 parties indicated below, in the following manner:

9 ☒ **(By Mail)** I am familiar with this office's practice for the collection and
 10 processing of documents for mailing with the United States Postal
 11 Service. The documents are deposited with the United States Postal
 Service on the same day in the ordinary course of business. I placed a
 true copy of the document thereof in a sealed envelope and caused
 said document(s) to be delivered in this manner.

12 ☐ **(By Overnight Mail)** I am familiar with this office's practice for the
 13 collection and processing of documents for overnight mail. The
 14 documents are collected by the delivery service company on the same
 day in the ordinary course of business. I caused said document(s) to
 be delivered in this manner.

15 ☐ **(By Facsimile)** I am familiar with this office's practice for the facsimile
 16 transmission of documents. I caused said document(s) to be sent to
 17 the facsimile numbers listed below and caused said machine to print a
 transmission record, a copy of which I have retained. The sending
 machine is (951) 686-4801.

18 **DOCUMENT:** (PROPOSED) STIPULATION FOR PROTECTIVE ORDER

19 **PARTIES SERVED:** SEE ATTACHED SERVICE LIST

20
 21 ☒ **(STATE)** I declare under penalty of perjury under the laws of the State
 22 of California, United State of America that the above is true and correct
 to the best of my knowledge.

23 Executed on December 21, 2007 at Riverside, California.

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 26 **ESMERALDA CAMACHO, Declarant**

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SERVICE LIST

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